



STAFF REPORT ACTION REQUIRED

222 Bremner Boulevard – Partial Repeal and Amendment of Designating By-law

Date:	March 14, 2008
To:	Toronto Preservation Board Toronto and East York Community Council
From:	Director, Policy and Research, City Planning Division
Wards:	Trinity-Spadina – Ward 20
Reference Number:	

SUMMARY

This report recommends that City Council partially repeal and amend City of Toronto By-law #1996-0385, designating the property at 222 Bremner Boulevard under Part IV, Section 29 of the Ontario Heritage Act, to remove the portion of the site known as the Hydro Option Lands from the legal description and remove reference to the Machine Shop Annex from the Reasons for Designation.

As the result of a Hydro Purchase Option Agreement dated October 5, 1992, the City of Toronto has a legal obligation to transfer the Hydro Option Lands to Hydro One as the location for a new electrical facility. Because the heritage by-law designating the CPR John Street Roundhouse complex includes part of the Hydro Option Lands with the Machine Shop Annex that is attached to the Roundhouse, the by-law requires partial repeal and amending to unencumber the portion of the site slated for the transformer station.

RECOMMENDATIONS

The City Planning Division recommends that

1. City Council partially repeal City of Toronto By-law No. 1996-0385, designating the property at 222 Bremner Boulevard under Part IV, Section 29 of the Ontario Heritage Act, to remove the references to the portions of the site legally described as Plan 64R-13541, Parts 2 to 9, from Schedules “A” and “C”;

2. City Council amend City of Toronto By-law No. 1996-0385 to remove reference to the Machine Shop Annex from the Reasons for Designation that form Schedule “B” of the designating by-law;
3. If there are no objections to the proposed partial repeal and amendment of the designating by-law in accordance with Sections 30.1(6) and 31(5) of the Ontario Heritage Act, the solicitor be authorized to introduce the Bills in Council; and
4. If there are objections in accordance with Sections 30.1(6) and 31(5) of the Ontario Heritage Act, the Clerk be directed to refer the proposed partial repeal and amendment of the designating by-law to the Conservation Review Board.

Financial Impact

There are no financial implications resulting from the adoption of this report. The public Notices of the partial repeal of the designating by-law will be advertised on the City’s web site according to the provisions of the City of Toronto Act.

DECISION HISTORY

In a Hydro Purchase Option Agreement dated October 5, 1992, the City of Toronto agreed to transfer the property adjoining the CPR John Street Roundhouse and known as the Hydro Option Lands (Parts 2 to 9 on Plan 64R-13541) to Ontario Hydro (now Hydro One Networks Inc.) as the future location of a transformer station. In the agreement, the City acknowledges that the future development of the Hydro Option Lands may result in the demolition of the Machine Shop Annex attached to the northwest corner of the Roundhouse facility. This agreement includes a letter from the former Toronto Historical Board (the municipal heritage committee for the former City of Toronto) agreeing not to object to the removal of the Machine Shop Annex provided that the structure be documented prior to demolition and that the exposed wall of the Roundhouse be stabilized and restored. In 1996, when the City of Toronto designated the property under Part IV, Section 29 of the Ontario Heritage Act, the Machine Shop Annex remained in place and was included in the designating by-law.

ISSUE BACKGROUND

Hydro One is preparing to construct the transformer station once its approvals are in place. The 1992 agreement for the Hydro Option Lands requires the City to discharge certain encumbrances on the property registered after that time. This includes the partial repeal and amendment of the designating by-law to remove the reference to the Hydro Options Lands, described as Parts 2-9 on Plan 64R-13541, from the title of the property and the references to the Machine Shop Annex from the Reasons for Designation.

The 1992 agreement also stipulates that, should the City prevent the Machine Shop Annex from being demolished or permit demolition but attach commercially unreasonable terms, the City could (1) agree to modifications of the design to permit the co-existence of the electrical facility and the Machine Shop Annex and pay additional design and construction costs, or (2) provide an alternate site.

City staff have been conducting negotiations with Hydro One to investigate solutions that would preserve the Machine Shop Annex on the site. City Council has recently granted authority for the City to enter into a Heritage Easement Agreement that will ensure the long-term protection of the core components of the former CPR John Street Roundhouse complex, specifically the Roundhouse, Turntable, Sand and Coal Loader, and Water Tower.

COMMENTS

A site plan is attached (Attachment No. 1). As part of the amending by-law, the revised Reasons for Designation (Attachment No. 2) have been revised and reformatted to include a statement of the property's cultural heritage value and a description of its heritage attributes as outlined in Section 30.1(2) of the Ontario Heritage Act as amended in 2005. The references to the Machine Shop Annex have been removed from the revised Reasons for Designation.

CONTACT

Mary L. MacDonald
Acting Manager, Heritage Preservation Services
Tel: 416-288-1079
Fax: 416-392-1973
E-mail: mmacdo7@toronto.ca

SIGNATURE

Barbara Leonhardt
Director, Policy and Research
City Planning Division

ATTACHMENTS

Attachment No. 1: Site Plan
Attachment No. 2: Revised Reasons for Designation